

**Fill in this information to identify the case:**

Debtor 1 Holiday Ham Holdings, LLC

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of Tennessee

Case number 23-23313

## Official Form 410

## Proof of Claim

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

### Part 1: Identify the Claim

1. Who is the current creditor?	<u>Kroger Limited Partnership I</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?  Thomas H. Forrester Name <u>150 Third Avenue South, Suite 1700</u> Number Street <u>Nashville</u> <u>TN</u> <u>37201</u> City State ZIP Code Contact phone <u>615-244-4994</u> Contact email <u>tforrester@gsrcm.com</u>	Where should payments to the creditor be sent? (if different)  Name Number Street City State ZIP Code Contact phone Contact email
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)  Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on ____ / ____ / ____	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor? ☒ No  
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim? \$ 1,453,522.13. Does this amount include interest or other charges?  
☐ No  
☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).  
plus attorney's fees and other costs allowed under Tenant's Lease and Debtor's Guaranty.

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
Guaranty of obligations under commercial lease

9. Is all or part of the claim secured? ☒ No  
☐ Yes. The claim is secured by a lien on property.  
**Nature of property:**  
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
☐ Motor vehicle  
☐ Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ 1,453,522.13  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
☐ Fixed  
☐ Variable

10. Is this claim based on a lease? ☒ No  
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff? ☒ No  
☐ Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)? ☒ No  
☐ Yes. Check one:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/17/2023  
MM / DD / YYYY

/s/ Thomas Forrester

Signature

Print the name of the person who is completing and signing this claim:

Name	Thomas	H.	Forrester
	First name	Middle name	Last name
Title	Member		
Company	Gullett, Sanford, Robinson & Martin, PLLC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	150 Third Avenue South, Suite 1700		
	Number	Street	
	Nashville	TN	37201
	City	State	ZIP Code
Contact phone	615-244-4994	Email	tforrester@gsm.com



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**Lease Ledger**

Date: 09/27/2023

Property: greatoak

Tenant: t0010195 Holiday Deli &amp; Ham Co.

From Date: 07/18/2022 To Date: 04/28/2023

Move In Date: 07/18/2022 Move Out Date: 07/28/2023

Date	Description	Unit	Charge	Payment	Balance	Chg/Rec	Hold
12/14/2021	Chk# 11479		0.00	9,911.46	-9,911.46	R-145313	
2/1/2022	Security Deposit		9,911.46	0.00	0.00	C-318924	No
8/1/2022	Monthly CAM Contribution (08/2022)	1	720.83	0.00	720.83	C-322800	No
8/1/2022	Monthly Insurance Contribution (08/2022)	1	90.10	0.00	810.93	C-322801	No
8/1/2022	Monthly Tax Contribution (08/2022)	1	1,301.10	0.00	2,112.03	C-322802	No
9/1/2022	Monthly CAM Contribution (09/2022)	1	720.83	0.00	2,832.86	C-327111	No
9/1/2022	Monthly Insurance Contribution (09/2022)	1	90.10	0.00	2,922.96	C-327112	No
9/1/2022	Monthly Tax Contribution (09/2022)	1	1,301.10	0.00	4,224.06	C-327113	No
10/1/2022	Monthly CAM Contribution (10/2022)	1	720.83	0.00	4,944.89	C-331325	No
10/1/2022	Monthly Insurance Contribution (10/2022)	1	90.10	0.00	5,034.99	C-331326	No
10/1/2022	Monthly Tax Contribution (10/2022)	1	1,301.10	0.00	6,336.09	C-331327	No
10/10/2022	Monthly CAM Contribution (07/2022) prorated 14 days		325.50	0.00	6,661.59	C-331384	No
10/10/2022	Monthly Insurance Contribution (07/2022) prorated 14 days		40.74	0.00	6,702.33	C-331385	No
10/10/2022	Monthly Tax Contribution (07/2022) prorated 14 days		587.58	0.00	7,289.91	C-331386	No
10/10/2022	Late Fee (07/2022)		95.38	0.00	7,385.29	C-331387	No
10/10/2022	Late Fee (08/2022)		211.20	0.00	7,596.49	C-331388	No
10/10/2022	Late Fee (09/2022)		211.20	0.00	7,807.69	C-331389	No
10/10/2022	Late Fee (10/2022)		211.20	0.00	8,018.89	C-331390	No
11/1/2022	Monthly CAM Contribution (11/2022)	1	720.83	0.00	8,739.72	C-333373	No
11/1/2022	Monthly Insurance Contribution (11/2022)	1	90.10	0.00	8,829.82	C-333374	No
11/1/2022	Base Rent (11/2022)	1	4,955.73	0.00	13,785.55	C-333375	No
11/1/2022	Monthly Tax Contribution (11/2022)	1	1,301.10	0.00	15,086.65	C-333376	No
11/7/2022	Chk# 11925		0.00	6,366.09	8,720.56	R-166445	
12/1/2022	Monthly CAM Contribution (12/2022)	1	720.83	0.00	9,441.39	C-339801	No
12/1/2022	Monthly Insurance Contribution (12/2022)	1	90.10	0.00	9,531.49	C-339802	No
12/1/2022	Base Rent (12/2022)	1	9,911.46	0.00	19,442.95	C-339803	No
12/1/2022	Monthly Tax Contribution (12/2022)	1	1,301.10	0.00	20,744.05	C-339804	No
12/30/2022	Late Fee 11/2022		872.05	0.00	21,616.10	C-344267	No
12/30/2022	Late Fee 12/2022		1,202.34	0.00	22,818.44	C-344268	No
12/31/2022	7/2022-11/2022 electric invoices		805.00	0.00	23,623.44	C-344269	No
1/1/2023	Monthly CAM Contribution (01/2023)	1	720.83	0.00	24,344.27	C-344238	No
1/1/2023	Monthly Insurance Contribution (01/2023)	1	90.10	0.00	24,434.37	C-344239	No
1/1/2023	Base Rent (01/2023)	1	9,911.46	0.00	34,345.83	C-344240	No
1/1/2023	Monthly Tax Contribution (01/2023)	1	1,301.10	0.00	35,646.93	C-344241	No
2/1/2023	Monthly CAM Contribution (02/2023)	1	720.83	0.00	36,367.76	C-346490	No
2/1/2023	Monthly Insurance Contribution (02/2023)	1	90.10	0.00	36,457.86	C-346491	No
2/1/2023	Base Rent (02/2023)	1	9,911.46	0.00	46,369.32	C-346492	No
2/1/2023	Monthly Tax Contribution (02/2023)	1	1,301.10	0.00	47,670.42	C-346493	No
2/5/2023	Legal Fees thru 1/31/2023 Lease default		1,363.00	0.00	49,033.42	C-348897	No
3/1/2023	Monthly CAM Contribution (03/2023)	1	720.83	0.00	49,754.25	C-351240	No
3/1/2023	Monthly Insurance Contribution (03/2023)	1	90.10	0.00	49,844.35	C-351241	No
3/1/2023	Base Rent (03/2023)	1	9,911.46	0.00	59,755.81	C-351242	No
3/1/2023	Monthly Tax Contribution (03/2023)	1	1,301.10	0.00	61,056.91	C-351243	No
3/9/2023	Legal Fees		2,582.00	0.00	63,638.91	C-354098	No
3/10/2023	2022 Annual CAM Reconciliation		1,401.86	0.00	65,040.77	C-354190	No
3/10/2023	2022 Annual Tax Reconciliation		121.88	0.00	65,162.65	C-354191	No
3/10/2023	2022 Annual Insurance Reconciliation		322.13	0.00	65,484.78	C-354192	No
4/1/2023	Monthly CAM Contribution (04/2023)	1	720.83	0.00	66,205.61	C-358594	No
4/1/2023	Monthly Insurance Contribution (04/2023)	1	90.10	0.00	66,295.71	C-358595	No

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### Lease Ledger

Date: 09/27/2023

Property: greatoak

Tenant: t0010195 Holiday Deli & Ham Co.

From Date: 07/18/2022 To Date: 04/28/2023

Move In Date: 07/18/2022 Move Out Date: 07/28/2023

Date	Description	Unit	Charge	Payment	Balance	Chg/Rec	Hold
4/1/2023	Base Rent (04/2023)	1	9,911.46	0.00	76,207.17	C-358596	No
4/1/2023	Monthly Tax Contribution (04/2023)	1	1,301.10	0.00	77,508.27	C-358597	No
5/1/2023	Monthly CAM Contribution (05/2023) :Reversed by Charge Ctrl# 363622		720.83	0.00	78,229.10	C-363109	No
5/1/2023	Monthly Insurance Contribution (05/2023) :Reversed by Charge Ctrl# 363623		90.10	0.00	78,319.20	C-363110	No
5/1/2023	Base Rent (05/2023) :Reversed by Charge Ctrl# 363624		9,911.46	0.00	88,230.66	C-363111	No
5/1/2023	Monthly Tax Contribution (05/2023) :Reversed by Charge Ctrl# 363625		1,301.10	0.00	89,531.76	C-363112	No
5/3/2023	:Reverse Charge Ctrl#363109 Tenants lease terminated thru Kroger legal		-720.83	0.00	88,810.93	C-363622	Yes
5/3/2023	:Reverse Charge Ctrl#363110 Tenants lease terminated thru Kroger legal		-90.10	0.00	88,720.83	C-363623	Yes
5/3/2023	:Reverse Charge Ctrl#363111 Tenants lease terminated thru Kroger legal		-9,911.46	0.00	78,809.37	C-363624	Yes
5/3/2023	:Reverse Charge Ctrl#363112 Tenants lease terminated thru Kroger legal		-1,301.10	0.00	77,508.27	C-363625	Yes
5/3/2023	:Security Deposit credit		-9,911.46	0.00	67,596.81	C-363626	No

BASE Rent Projection

Property	Unit(s)	Lease	Lease Type	Area	Lease From	Lease To	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	Total	RATE:	7.500%
greateoak - GREAT OAKS SHOPPING CENTER, Collierville																				NPV	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	9,911.46	118,937.52	\$118,198.78	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 20249,911.46	Jun 20249,911.46	Jul 20249,911.46	Aug 20249,911.46	Sep 20249,911.46	Oct 20249,911.46	Nov 20249,911.46	Dec 20249,911.46	Jan 20259,911.46	Feb 20259,911.46	Mar 20259,911.46	Apr 20259,911.46	118,937.52	\$118,198.78	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 20259,911.46	Jun 20259,911.46	Jul 20259,911.46	Aug 20259,911.46	Sep 20259,911.46	Oct 20259,911.46	Nov 20259,911.46	Dec 20259,911.46	Jan 20269,911.46	Feb 20269,911.46	Mar 20269,911.46	Apr 20269,911.46	118,937.52	\$118,198.78	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 20269,911.46	Jun 20269,911.46	Jul 20269,911.46	Aug 20269,911.46	Sep 20269,911.46	Oct 20269,911.46	Nov 20269,911.46	Dec 20269,911.46	Jan 20279,911.46	Feb 20279,911.46	Mar 20279,911.46	Apr 20279,911.46	118,937.52	\$118,198.78	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 20279,911.46	Jun 20279,911.46	Jul 202710,423.02	Aug 202710,902.60	Sep 202710,902.60	Oct 202710,902.60	Nov 202710,902.60	Dec 202710,902.60	Jan 202810,902.60	Feb 202810,902.60	Mar 202810,902.60	Apr 202810,902.60	128,369.34	\$127,572.01	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 202810,902.60	Jun 202810,902.60	Jul 202810,902.60	Aug 202810,902.60	Sep 202810,902.60	Oct 202810,902.60	Nov 202810,902.60	Dec 202810,902.60	Jan 202910,902.60	Feb 202910,902.60	Mar 202910,902.60	Apr 202910,902.60	130,831.20	\$130,018.58	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 202910,902.60	Jun 202910,902.60	Jul 202910,902.60	Aug 202910,902.60	Sep 202910,902.60	Oct 202910,902.60	Nov 202910,902.60	Dec 202910,902.60	Jan 203010,902.60	Feb 203010,902.60	Mar 203010,902.60	Apr 203010,902.60	130,831.20	\$130,018.58	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 203010,902.60	Jun 203010,902.60	Jul 203010,902.60	Aug 203010,902.60	Sep 203010,902.60	Oct 203010,902.60	Nov 203010,902.60	Dec 203010,902.60	Jan 203110,902.60	Feb 203110,902.60	Mar 203110,902.60	Apr 203110,902.60	130,831.20	\$130,018.58	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 203110,902.60	Jun 203110,902.60	Jul 203110,902.60	Aug 203110,902.60	Sep 203110,902.60	Oct 203110,902.60	Nov 203110,902.60	Dec 203110,902.60	Jan 203210,902.60	Feb 203210,902.60	Mar 203210,902.60	Apr 203210,902.60	130,831.20	\$130,018.58	
greateoak	1	Holiday Deli & Ham Co.( t0010195 )	RETAIL LEASE	4,325.00	7/18/2022	7/31/2032	May 203210,902.60	Jun 203210,902.60	Jul 203210,902.60	Aug 20320.00	Sep 20320.00	Oct 20320.00	Nov 20320.00	Dec 20320.00	Jan 20330.00	Feb 20330.00	Mar 20330.00	Apr 20330.00	32,707.80	\$32,504.65	
																				1,160,152.02	\$1,152,946.11

COMMON AREA MAINTENANCE PROJECTION

Monthly charge as of 5/1/2023 \$ 720.83			NPV	7.500%
5/2023 - 12/2023				
2024	5,766.64	\$5,730.82		
2025	8,649.96	\$8,596.23		
2026	8,649.96	\$8,596.23		
2027	8,649.96	\$8,596.23		
2028	8,649.96	\$8,596.23		
2029	8,649.96	\$8,596.23		
2030	8,649.96	\$8,596.23		
2031	8,649.96	\$8,596.23		
1/2032 - 7/2032	5,045.81	\$5,014.47		
TOTAL COMMON AREA REIMBURSEMENT	80,012.13	79,515.16		

REAL ESTATE TAX PROJECTION

Monthly charge as of 5/1/2023 \$ 1,301.10		
5/2023 - 12/2023		
2024	10,408.80	\$10,344.15
2025	15,613.20	\$15,516.22
2026	15,613.20	\$15,516.22
2027	15,613.20	\$15,516.22
2028	15,613.20	\$15,516.22
2029	15,613.20	\$15,516.22
2030	15,613.20	\$15,516.22
2031	15,613.20	\$15,516.22
1/2032 - 7/2032	9,107.70	\$9,051.13
TOTAL REAL ESTATE TAX	144,422.10	143,525.07

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BASE Rent Projection

																			RATE:	7.500%
Property	Unit(s)	Lease	Lease Type	Area	Lease From	Lease To	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	Total	NPV
INSURANCE REIMBURSEMENT PROJECTION																				
Monthly charge as of 5/1/2023 \$ 90.10																				
5/2023 - 12/2023																				
2024																				
2025																				
2026																				
2027																				
2028																				
2029																				
2030																				
2031																				
1/2032 - 7/2032																				
TOTAL INSURANCE REIMBURSEMENT																				